

BRACH | EICHLER LLC

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/04/2020

Michael H. Ansell
Direct Dial: 973-364-8330
Direct Fax: 973-348-3091
E-mail: mansell@bracheichler.com

MEMO ENDORSED

November 3, 2020

VIA ECF

Honorable Katharine H. Parker, U.S.M.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 17D
New York, New York 10007

**Re: Cortese, et al. v. Skanska Koch, Inc., et al.
Civil Action No. 1:20-cv-01632 (LJL)**

Dear Judge Parker:

This firm represents plaintiff Anthony Cortese, James Kearney, Jeffrey Brooks, Daniel Julio, Mark Leyble, and John Siciliano, both individually and behalf of all similarly situated individuals (collectively, "Plaintiffs"). We write with the consent of all parties to request an adjournment of the settlement conference currently scheduled for November 11, 2020.

Pursuant to the Court's Order, Plaintiffs filed a Third Amended Complaint on October 23, 2020, adding five (5) named plaintiffs. As a result of this recent filing, and the anticipated filing of motions to dismiss and/or for conditional collective action certification, the parties require additional time to produce limited discovery relevant to the named Plaintiffs' damages in order to assess their respective settlement positions.

Due to the fact that the parties have agreed to a settlement conference in an effort to resolve these individual claims prior to a collective or class action being certified, we will not be in a position to do so until after there has been sufficient time to evaluate each of the Plaintiffs' claims and damages. Accordingly, we respectfully request that the settlement conference be adjourned until at least January 15, 2021 to provide the parties an opportunity to finalize the pleadings and gather information relevant to the claims of the named Plaintiffs so that we are in a better position to discuss settlement of the individual claims.

5 Penn Plaza, 23rd Floor
New York, New York 10001
212.896.3974

101 Eisenhower Parkway
Roseland, New Jersey 07068
973.228.5700

777 South Flagler Drive
Suite 800, West Tower
West Palm Beach, Florida 33401
561.899.0177

www.bracheichler.com

Honorable Katharine H. Parker, U.S.M.J.
November 3, 2020
Page 2

We thank the Court for its time and attention to this matter and are available at Your Honor's convenience should any additional information be necessary

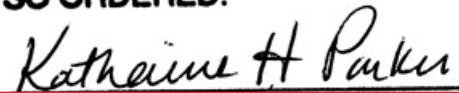
Respectfully submitted,

/s/Michael H. Ansell
Michael H. Ansell

MA:s
cc: All counsel (via ECF)

The settlement conference in this matter currently scheduled for Wednesday, November 11, 2020 at 10:00 a.m. is rescheduled to Thursday, January 14, 2021 at 10:00 a.m. Counsel is directed to call Judge Parker's teleconference line at the scheduled time. Please dial (866) 434-5269, Access code: 4858267. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than January 7, 2021 by 5:00 p.m.

SO ORDERED:


HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE

11/04/2020